

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Wednesday, July 1, 2009
5:45 P.M.

Invocation by Assistant Pastor Jim Wood, Calvary Baptist Church.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

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1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
- 2.1. Take action on the following appointments:
 - *2.1a. Appointing Jennifer Ruttman as the Interim City Auditor effective August 1, 2009.
 - *2.1b. Appointing Vicki L. H. Myers as the Interim Police Chief effective July 24, 2009.
3. Conduct a public hearing prior to release the petition for signatures for the following proposed annexation:
 - 3a. **A08-18 (District 6)** Annexing land located south of Broadway Road and west of Signal Butte Road (4.89 +/- ac). Initiated by Pat Gilbert, property owner for the proposed Freestone Rehabilitation Center.
4. Discuss, take public comment and take action on the following Minor General Plan Amendment:
 - *4a. Public hearing on Minor General Plan Amendment **GPMInor09-05 (All Council Districts) – Deleted.**
 - *4b. Take action on the following resolution:

GPMInor09-05 Adopting a text amendment to the Mesa 2025 General Plan to amend Section 9.0 with updated areas targeted for future parks and recreation facilities – **Deleted.**
5. Discuss, take public comment and take action on the following Minor General Plan Amendment:
 - 5a. Public hearing on Minor General Plan Amendment **GPMInor08-11 (District 6)**
 - 5b. Take action on the following resolution:

GPMInor08-11 (District 6) 8260 East Baseline Road. Located west of the Loop 202 and north of Baseline Road (14.5± acres). Minor General Plan Amendment. This request will amend the Mesa 2025 General Plan land use

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designation for the site from Mixed Use Residential (MUR) to High Density Residential 15+ du/acre (HDR 15+). Loren &

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Colette Jessen; JesscoDev. LLC, owner; Sean Lake; Pew and Lake, PLC, applicant. **(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)**

P&Z Recommendation: Approval with conditions.
(Vote: 4 – 0 – 1 Boardmember Carter abstained)
(Boardmembers Salas and Roberts absent)

6. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:

6a.1. **Deleted. (See Item 6b.1)**

6a. Public Hearing on Minor General Plan Amendment
GPMInor09-03 (District 6)

6b. Take action on the following resolutions:

GPMInor09-03 (District 6) The 8200 to 8500 blocks of East Baseline Road (north side). Located west of the Loop 202 and north of Baseline Road (54± acres). Minor General Plan Amendment. This request will amend the Mesa 2025 General Plan land use designation for the site from Mixed Use Residential to High Density Residential 15+ du/acre (20± acres) and Neighborhood Commercial (34± acres). David Gilmcher, GVSW 202/60 LLC, owner; Susan Demmitt, Beus Gilbert PLLC, applicant. **(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.) COMPANION CASE Z08-47**

6b.1. Approving and authorizing the City Manager to execute the Development Agreement with GVSW – 202/60 LLD to establish quality of development and restrictions on uses for property to be developed as “Baseline Center” on the north side of Baseline Road just west of the 202 Freeway.

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- 6c. Take action on the following ordinance introduced at a prior Council meeting:

Z08-47 (District 6) The 8200 to 8500 blocks of East Baseline Road (north side) Located west of the Loop 202 on the north side of Baseline Road (54± acres). Rezone from AG (conceptual M-1, C-2, O-S, R-3, and R-2) to C-2 (34± acres) and R-4 (20± acres) and the establishment of the “Baseline Center” Development Master Plan (DMP). This request will establish a Development Master Plan to allow the creation of a development with a mixture of residential, office and retail uses. David Glimcher, GVSW 202/60 LLC, owner; Susan Demmitt, Beus Gilbert PLLC, applicant.
(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.) COMPANION CASE GPMinor09-03

P&Z Recommendation: Approval with conditions.
(Vote 4 - 0 – 1 Boardmember Carter abstained)
(Boardmembers Salas and Roberts absent)

7. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:

- 7a. Public Hearing on Minor General Plan Amendment
GPMinor09-04 (District 4)

- 7b. Take action on the following resolution:

GPMinor09-04 (District 4) The 200 block of East 2nd Avenue (south side). Located north of Broadway Road and west of Mesa Drive (5± acres). Minor General Plan Amendment. This request will amend the Mesa 2025 General Plan land use designation for the site from Single Family Residential to Office/Business/Industrial.
(Met with neighbors, notified property owners, homeowners associations and registered neighborhoods.) **COMPANION CASE Z09-10.**

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- 7c. Take action on the following ordinance introduced at a prior Council meeting:

Z09-10 (District 4) 254 South Pomeroy. Located north of Broadway Road and west of Mesa Drive (12.87± acres). Rezone from TCR-3 to TCB-2 and Site Plan Review. This case will allow the development of an office/industrial project. Erenberg Brothers Partnership, owners; Jeff McCall, McCall and associates, applicant. **(Met with neighbors, notified property owners, homeowners associations and registered neighborhoods.)**
COMPANION CASE GPMinor09-04

Downtown Development Committee: Approval with conditions. (Vote: 5 – 0 Boardmembers Flick, Gallagher, Chucuri, and Holtz absent)

8. Take action on the following contracts:

- *8a. Purchase of a Professional Theatrical Lighting System for the Arts and Cultural Department, Mesa Arts Center (Fully Funded by the MAC Restoration Fee Fund) **(Citywide)**

The Business Services Department recommends awarding the contract to the lowest, responsive and responsible bidder, Sacramento Theatrical Lighting, Ltd. at \$58,204.04, including applicable use tax.

- *8b. Term Contract for Reflective Sign Sheeting for the Transportation Department, Field Operations **(Citywide)**

The Business Services Department recommends authorizing purchase from the cooperative contract with 3M Company at \$40,000.00, for the remaining contract period through May 31, 2010, based on estimated requirements.

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*8c. Mahoney Neighborhood Water, Gas and Sidewalk
Improvements **(District 2)**

City Project No. 01-337-001. This project will provide new sidewalk improvements, and replace water and gas lines in this neighborhood located south of Main Street and west of Gilbert Road. The project limits are on both the north and south sides of East Mahoney Avenue, East 1st Avenue, and East Dana Avenue from South Shouse to South Gilbert Road. Sidewalk ramps will be added at the curb returns and other locations where necessary. Approximately 10,000 square feet of sidewalk will be installed. The project will also install approximately 2,500 linear feet of 8-inch diameter water line. Water service lines and new water meters will be installed to serve approximately 40 residential lots. This project will also install approximately 2,300 linear feet of 2-inch gas mains, and new gas services and meters to serve approximately 33 lots.

Recommend award to the low bidder, Visus Engineering Construction Inc., in the amount of \$380,000.00 plus an additional \$38,000.00 (10% allowance for change orders) for a total award of \$418,000.00. Funding is available in the Approved FY 09/10 Gas and Water Bond programs and the CDBG (Community Development Block Grant) Capital program.

*8d. Fire Station No. 219 **(District 6)**

City Project No. 01-745-001. This project will construct a new Fire Station at 3361 South Signal Butte Road to help meet the demand call volume and maintain emergency response times. This is the Design Phase Services contract that staff has prepared and negotiated the associated fee for the design phase work to be performed by the Construction Manager at Risk (CMAR). A future Council action to award the construction contract will be brought back to Council for approval later this year.

Recommend award of the Design Phase Services contract to Adolfsen and Peterson Construction (AP), in the amount of \$45,688.00. Funding is available in the adopted FY 09/10 Fire Bond Capital Program.

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*8e. Fire Station No. 215 (**District 6**)

City Project No. 01-920-001. This project will construct a new Fire Station at 6653 S. Cargo Way to help meet the demand call volume and maintain emergency response times. This is the Construction Phase Services contract that staff has prepared and negotiated the associated fee for the construction phase work to be performed by the Construction Manager at Risk (CMAR), FCI Constructors, Inc.

Recommend award of the Construction Phase Services contract to FCI Constructors Inc., with a Guaranteed Maximum Price (GMP) of \$6,257,512.00 plus an additional \$625,751.20 (10% allowance for change orders) for a total award of \$6,883,263.20. Funding is available in the adopted FY 09/10 Fire Bond Capital Program.

*8f. Water Line & Gas Line Replacement Drew Street –
University Drive to 7th Street (**District 4**)

City Project No. 04-046-002. This project will replace existing mains with 4,150 linear feet of new 8-inch diameter ductile iron pipe (DIP). The new water line will provide reliable water service to City customers on Drew Street. This project will also replace all existing water meters (100), water services and fire hydrants to comply with City standards. The existing gas main in this area is 2-inch diameter steel pipe constructed in 1955. These lines have exceeded their design life and are recommended for replacement in a joint trench with the water main to take advantage of reduced trench and pavement replacement costs.

Recommend award to the low bidder, Visus Engineering Construction Inc., in the amount of \$568,000.00 plus an additional \$56,800.00 (10% allowance for change orders) for a total award of \$624,800.00. This project is funded from the approved FY 09/10 Water and Gas Bond Capital Programs.

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9. Introduction of the following ordinances and setting July 8, 2009, as the date of the public hearing on these ordinances:

*9a. **Z09-13 (District 4)** 32 and 42 South Center Street. Located south of Main Street on the west side of Center Street (1.9± acres). Council Use Permit. This request will allow the expansion of an existing charter school. David French, owner; Wade Melchin, Heritage Academy, applicant.
(Notified property owners, homeowners associations and registered neighborhoods.)

*9b. Approving the First Amendment to the Nonexclusive, 2003 Cable Television Renewal License with COXCOM, Inc. and authorizing the City Manager to sign the Amendment.

*9c. Adopting and authorizing the City Manager to execute an agreement that incorporates all provisions contained in the existing Southwest Gas franchise until November 2, 2010.

10. Take action on the following resolution:

*10a. Authorizing the purchase of vacant land located north of West Baseline Road and west of South Country Club Drive.
(District 3)

This land will be for a future Park and Ride location. The purchase price is \$3,080,460. (Funding by the American Recovery and Reinvestment Act)

11. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

*11a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Turns from Driveways: 10-3-15 (B)

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On the west side of 48th Street from the driveway with
centerline approximately 55 feet south of Main Street.
(District 5)

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*11b. **Z09-11 (District 3)** 610 West Jerome Avenue. Located west of Country Club Drive and north of Baseline Road (1.8± acres). Rezone from M-1 to M-1-BIZ and Site Plan Review. This case will allow the development of a children's hospital. Hacienda Healthcare, owner; John Szafran, DPA Architects, applicant. **(Notified property owners, homeowners associations and registered neighborhoods.)**

12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).